

RECEIPT # 57112
 AMOUNT \$ 150
 SUMMONS ISSUED —
 LOCAL RULE 4.1 —
 WAIVER FORM —
 MCF ISSUED 78
 BY DPTY. CLK. —
 DATE 8/4/04

UNITED STATES DISTRICT COURT
 DISTRICT OF MASSACHUSETTS

AHMAD SHREATEH,

Plaintiff,

v.

FANNIE MAE and
 MARK HOLMES,

Defendants.

Civ. A. No.

04 11713 NMG

MAGISTRATE JUDGE Dein

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1332, 1441(a) and 1446, Defendant Fannie Mae hereby removes to this Court the above-captioned state court civil action which is currently pending in Essex County Superior Court, Essex County, Massachusetts. As grounds for this Notice of Removal, Fannie Mae states the following:

1. On or about July 1, 2004, plaintiff Ahmad Shreatch ("Plaintiff") filed the instant action, Civil Action No. ESCV2004-01258B against Fannie Mae and Mark Holmes (the "Named Defendants") in the Essex County Superior Court, Essex County, Massachusetts. Fannie Mae received service of a Summons and the Complaint via registered mail on July 8, 2004. To Fannie Mae's knowledge, Defendant Holmes has not received service of process.
2. Fannie Mae has not yet answered the Complaint.
3. This Notice of Removal is filed with this Court within thirty (30) days of receipt by Fannie Mae of the Complaint as required by 28 U.S.C. § 1446(b).

4. Although Plaintiff's Complaint contains no specific counts or claims, he appears to allege that he was discriminated against on the basis of his color and religious beliefs and subjected to sexual harassment while he was assigned to perform consulting services for Fannie Mae by his employer.

5. The Plaintiff is a resident of Salisbury, Massachusetts. Defendant Fannie Mae is a privately owned business with its principal place of business and charter in Washington, D.C. Defendant Holmes is a resident of Washington, D.C.

6. There is complete diversity of citizenship between the Plaintiff and the Named Defendants in this action.

7. Although the Complaint does not specify the amount of damages Plaintiff seeks, he states in the Complaint that his position working as a consultant at Fannie Mae was supposed to last for 2-3 additional years, indicating that he seeks, at a minimum, compensatory damages including back pay. On information and belief, two to three years of Plaintiff's compensation exceeds \$75,000. Plaintiff also alleges that he still feels embarrassment as a result of Defendant Holmes' alleged actions, indicating that he also is seeking emotional distress damages as well as potential punitive damages. Based upon these allegations, the Plaintiff seeks damages, exclusive of interests and costs, that exceed \$75,000.

8. Because the Plaintiff is a citizen of a different state than the Named Defendants, and the amount in controversy exceeds \$75,000, this Court has diversity jurisdiction over this action pursuant to 28 U.S.C. §§ 1332(a).

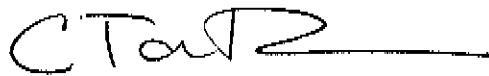
9. Pursuant to 28 U.S.C. 1446(d), Fannie Mae has served Plaintiff with a copy of this Notice of Removal and will promptly file the appropriate Notice of Filing of Notice of Removal with the clerk of the Essex Superior Court.

10. Pursuant to 28 U.S.C. § 1446(a), true copies of all process, pleadings and orders that have been served or filed in the state court action are attached as Exhibit 1.

11. In accordance with Local Rule 81.1(a), Fannie Mae will file a certified copy of all records, pleadings and docket entries in the state court action with this Court within thirty (30) days of filing this Notice of Removal.

THEREFORE, Fannie Mae respectfully requests that this case proceed before this Court as an action properly removed.

FANNIE MAE
By its attorneys,




Neil Jacobs (BBO #249300)
C. Tama Donovan (BBO #641292)
Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000

Dated: August 3, 2004

CERTIFICATE OF SERVICE

I, C. Tama Donovan, hereby certify that on August 3, 2004, I caused a copy of the foregoing Notice of Removal to be served, by overnight mail, upon the plaintiff: Ahmad Shreatch, 12 Palis Drive, Salisbury, MA 01952.


C. Tama Donovan

JS 44 (Rev. 3/99)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Ahmad Shreateh

DEFENDANTS

Fannie Mae and Mark Holmes

(b) County of Residence of First Listed Plaintiff Essex
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Washington D.C.
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

Neil Jacobs, Esq.

C. Tama Donovan, Esq.

Wilmer Cutler Pickering Hale and Dorr LLP

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☒ 1 ☐ 1 DEF Incorporated or Principal Place of Business in This State ☐ 4 ☐ 4 DEF
- Citizen of Another State ☐ 2 ☒ 2 ~~Incorporated and~~ Principal Place of Business in Another State (not incorporated) ☐ 5 ☒ 5
- Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Maring <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of <input type="checkbox"/> 150 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Source of Property 21 USC <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Federal Administrative Action to District Court <input type="checkbox"/> 920 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input checked="" type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395M) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIW C/DIW W (405(g)) <input type="checkbox"/> 864 SSD Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS Third Party 26 USC 7609

V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

28 U.S.C. §1441 and 1332

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER P.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE
August 3, 2004

SIGNATURE OF ATTORNEY OF RECORD

CTED

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING FEE _____ JUDGE _____ MAG JUDGE _____

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS1. Title of case (name of first party on each side only) Ahmad Shreatch v. Fannie Mae and Mark Holmes

2. Category in which the case belongs based upon the numbered nature of suit code listed on the civil cover sheet. (See local rule 40.1(a)(1)).

☐

I. 160, 410, 470, R.23, REGARDLESS OF NATURE OF SUIT.

☒

II. 195, 368, 400, 440, 441-444, 540, 550, 555, 625, 710, 720, 730, 740, 790, 791, 820*, 830*, 840*, 850, 890, 892-894, 895, 950.

*Also complete AO 120 or AO 121 for patent, trademark or copyright cases

☐

III. 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371, 380, 385, 450, 891.

☐

IV. 220, 422, 423, 430, 460, 510, 530, 610, 620, 630, 640, 650, 660, 690, 810, 861-865, 870, 871, 875, 900.

☐

V. 150, 152, 153.

04 11713 NMG

3. Title and number, if any, of related cases. (See local rule 40.1(g)). If more than one prior related case has been filed in this district please indicate the title and number of the first filed case in this court.

4. Has a prior action between the same parties and based on the same claim ever been filed in this court?

YES ☐NO ☒

5. Does the complaint in this case question the constitutionality of an act of congress affecting the public interest? (See 28 USC §2403)

YES ☐NO ☒

If so, is the U.S.A. or an officer, agent or employee of the U.S. a party?

YES ☐NO ☒

6. Is this case required to be heard and determined by a district court of three judges pursuant to title 28 USC §2284?

YES ☐NO ☒7. Do all of the parties in this action, excluding governmental agencies of the united states and the Commonwealth of Massachusetts ("governmental agencies"), residing in Massachusetts reside in the same division? - (See Local Rule 40.1(d)).YES ☐NO ☒A. If yes, in which division do all of the non-governmental parties reside?Eastern Division ☐Central Division ☐Western Division ☐

B. If no, in which division do the majority of the plaintiffs or the only parties, excluding governmental agencies, residing in Massachusetts reside?

Eastern Division ☒Central Division ☐Western Division ☐

8. If filing a Notice of Removal - are there any motions pending in the state court requiring the attention of this Court? (If yes, submit a separate sheet identifying the motions)

YES ☐NO ☒

(PLEASE TYPE OR PRINT)

ATTORNEY'S NAME C. Tama Donovan, Esq.ADDRESS Wilmer, Cutler, Pickering, Hale and Dorr LLPTELEPHONE NO. 617-526-6000

(TO PLAINTIFF'S ATTORNEY: Please Circle Type of Action Involved: • TORT • MOTOR VEHICLE • TORT • CONTRACT • EQUITABLE RELIEF • OTHER.)

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss.

SUPERIOR COURT
CIVIL ACTION
No.

AHMAD SHREATEH, Plaintiff(s)

FANNIE MAE & MARK HOLMES, Defendant(s)

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve upon AHMAD Shreateh, plaintiff's attorney, whose address is 12 PALIS DR. SALISBURY MA 01952, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You are also required to file your answer to the complaint in the office of the Clerk of this court at Newburyport Superior either before service upon plaintiff's attorney or within a reasonable time thereafter.

Unless otherwise provided by Rule 13 (a), your answer must state as a counterclaim any claim which you may have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's claim or you will thereafter be barred from making such claim in any other action.

WITNESS, SUZANNE V. DeVECCHIO, Esquire, at Salem, the
day of _____, in the year of our Lord two thousand

Thomas H. Driscoll Jr.
Clerk

NOTES:

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
2. When more than one defendant is involved, the names of all defendants should appear in the caption. If a separate summons is used for each defendant, each should be addressed to the particular defendant.

NOTICE TO DEFENDANT - You need not appear personally in court to answer the complaint, but if you claim to have a defense, either you or your attorney must serve a copy of your written answer within 20 days as specified herein and also file the original in the Clerk's Office.

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COMPLAINT

July 1, 2004

My name is Ahmad Shreateh. I am an American Citizen and have lived in the United States for almost twenty years. I was born and raised in Palestine. I am a Muslim by birth, although I do not actively practice my religion. In or about May 2001, I was engaged as a computer consultant through Computer Merchant (Mass) to work for one of their customer's clients. The Computer Merchant customer is Compaq and their "client" is Fannie Mae. I worked at Fannie Mae office in Washington DC.

After a series of interviews to determine my technical competency, during May, June and July, I started the project at Fannie Mae on or about July 30, 2001. My job classification was 'senior consultant in charge of GS320 environment'. I was also responsible for the consulting needs relating to Compaq products on site. The business manager was Barbara Copper-Jones and the technical supervisor from the UNIX group was Mark Holmes.

The first month (August) went without any real problem. At the end of August, Mr. Holmes asked me if I wanted to go out with him and his friend. His tone and body language gave me the distinct impression that the invitation was more than just social. I politely declined, telling him that I was busy and that I was planning on going to the Middle East to see my Family during the Labor Day break. As I tried to walk away, Mr. Holmes took hold of my hand and said "We mostly invite some other men for more fun" I pulled my hand and told Mr. Holmes the he was under a misapprehension and that I was not gay. I excused myself and left.

I traveled overseas for Labor Day break and was out of the country until September 17, 2001. As soon as I returned, Mr. Holmes attitude towards me changed. He asked me to come into his office and asked me what I thought about September 11th. I was caught a little off-guard. I said I did not know that "they" were just crazy, fanatic people. I wanted to drop the subject and leave the office. Mr. Holmes said, "We (Americans) have bombs the size of the Middle East that we should dump on them and kill them all." I told Mr. Holmes that I understand his anger but that I still have family in the Middle East and I have nothing to do with what happen. I said that he should not take out his anger on me. Mr. Holmes said that it did not matter because 'you're all uneducated, stupid Arabs—you're savages'. I walked out of his office. For the next few days Mr. Holmes confronted me in the same way and made similar comments. As time passed his comments were as aggressive, derogatory and biting. I did not know what to do. I felt isolated and afraid to confront him or tell anybody about his comments. I just hoped it would pass.

At the end of September Mr. Holmes again asked me if I was interested in meeting him and his friend at their place. I again told Mr. Holmes that I was not gay and that he

should stop asking. He told me it would be in my best interest to meet him if I wanted to continue to work at Fannie Mae. I told him I would not meet him and that whatever happens I will deal with.

At about this time during the whole incident, I informed two managers from Compaq and two Managers from Fannie Mae. The Compaq people did not want to get involved and referred to me to Fannie Mae people. The Fannie Mae managers told me to deal with him and try to resolve the problem.

On about October 17, 2001, Mr. Holmes and another Individual (I can't remember his name) asked me to come to his office. When I arrived I was told that I was being terminated and that I was done as of October 19th.

I asked why I was being terminated. Mr. Holmes said it had nothing to do with my qualifications or job performance. When I pressed for a reason, Mr. Holmes, almost with joy in his voice, said: 'You're and Arab and you did not play the game right with me'. I left his office.

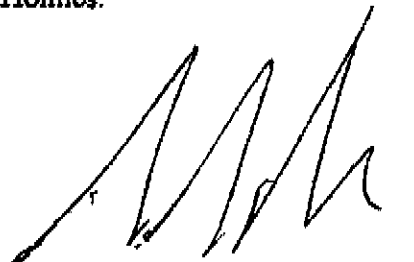
I got in touch with several managers inside Fannie Mae trying to find a consulting work, as soon as Mr. Holmes new of several arranged meeting that I was supposed to have on October 18th, he came to me at noon of October 18th and asked me to give him my badge back and to leave the building immediately. His comment was "I DO NOT WANT YOU IN FANNIE MAE".

After I left Fannie Mae, a senior manager from Fannie Mae, asked me if I was interested in returning to work in his department. I said I would love to come back. I was subsequently told that Mr. Holmes has opposed my return.

I loved working at Fannie Mae. The job was supposed to last for 2-3 more years. It was a wonderful opportunity for me.

I am a loyal American. What Mr. Holmes did was wrong. I grieve for what happen on September 11th just as much as him or any other American. I should not be singled out and castigated for the color of my skin or my religious beliefs. I still feel the embarrassment of his sexual advances and the hate he heaped on me because of who I am.

I am filling this complaint requesting a jury trial to determine the actions by Fannie Mae and Mr. Holmes.



July 1, 2004

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss.

SUPERIOR COURT
CIVIL ACTION NO:ESCV2004-01258

* * * * *
AHMAD SHREATEH,

Plaintiff,

v.

FANNIE MAE and
MARK HOLMES,

Defendants.

* * * * *

DEFENDANTS' MOTION TO EXTEND TIME TO RESPOND TO
PLAINTIFF'S COMPLAINT

Defendants, hereby move this Court to extend the time to
respond to Plaintiff's Complaint for thirty days.

As grounds for this motion the defendants state:

- 1) Plaintiff, Ahmad Shreateh filed a complaint on July 1, 2004 against defendants.
- 2) Defendants were served on or about July 2, 2004.
- 3) Pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure, Defendants' answer to Plaintiff's Complaint is due on or about July 22, 2004.
- 4) Defendants reasonably require an extension of thirty days from July 22, 2004, to gather facts necessary to properly respond to Plaintiff's Complaint.

5) Plaintiff will not be prejudiced by a brief continuance of time to respond to plaintiff's complaint and the allowance of this motion.

WHEREFORE: The Defendants respectfully request that this Court extend the time in which to respond to Plaintiff's Complaint up to and including August 21, 2004.

Respectfully Submitted,

Fannie Mae and
Mark Holmes
By their Attorneys,



Richard J. Shea,

BBO# 456310

Jennifer B. Hardy

BBO# 634494

MELICK, PORTER & SHEA, LLP

28 State Street

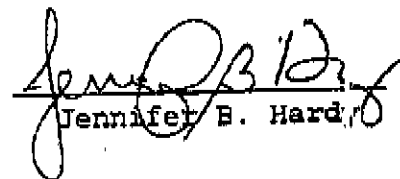
Boston, MA 02109-1775

CERTIFICATE OF SERVICE

I, Jennifer B. Hardy, hereby certify that on this day, I forwarded notice of the foregoing document(s) by mailing a copy thereof, postage prepaid to the following:

Ahmad Shreateh
12 Palis Drive
Salisbury, MA 01952

[Pro Se]



Jennifer B. Hardy

Dated: 7-15-04